

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Montgomery                      Examiner: Jagoe, Donna A.  
Serial No.: 10/056,296                      Group Art Unit: 1614  
Filed: January 24, 2002                      Docket No.: P1083US01  
Title: Topical Oral Care Compositions

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37CFR 1.132 Declaration of Keith Frost

I, Keith Frost, have a bachelor's degree of science in Chemistry from Salisbury University in 1996. I have been working at the chemical laboratory of Discus Dental since 2005 and have been involved with chemical formulation work from the start. I am very familiar with dental compositions.

I personally made the following four formulations according to the compositions listed on page 3 of U.S. provisional application 60/263884. The method used for the samples is described below. The ingredients used are as described in the application noted above. The ingredients, amounts, and the resultant formulations are noted below:

	Purpose	Formulation 1	Formulation 2	Formulation 3	Formulation 4
Phase A					
Water	Solvent	88.557	87.05	79.05	84.25
Hydrogen Fluoride	Fluoride	0.243	0	0	0
Sodium Fluoride	Fluoride	0	1	1	1
Ascorbyl-2- phosphate	Phosphate	0.25	1	9	4.5

Glycerin	humectant	10	10	10	10.2
Saccharin	sweetener	.2	.2	.2	.2
Pluronic	surfacant	.2	.2	.2	0
Blue 1, 1% solution	Pigment/ dye	.05	.05	.05	.05
Mint 02-1033	Flavorant	.5	.5	.5	.5
		100.00	100.00	100.00	100.00
pH		3.5	8.6	7	9.1

The different formulations were chosen to show that the listed ranges of ingredients on page 3 could indeed produce compositions of varying pH, specifically, the pH range of 5.5-10.

Method of making the above Formulations is as follows:

Water was introduced into an appropriate container. Each of the other ingredients listed for each formulation was added individually and mixed until dissolved. This addition and mixing process was repeated until all ingredients were dissolved.

Once completed, pH of each formulation was measured using an Orion 525 A+ pH meter and recorded. As can be readily seen, the variation of ingredients on page 3 of the provisional can indeed produce a wide pH.

#### Declaration

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting there from, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Application No. 10/056,296  
Response to Office Action of January 10, 2008

Customer No.: 53,096

Signature: Keith Frost 10 Jun 2008

Keith Frost

Date: